

REMARKS

Favorable reconsideration of the present application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-29 are pending. Claims 1, 3, 8, 15, 23 and 25 are amended. No claims are cancelled or added by this Amendment. Claims 1, 8 and 23 are independent.

Applicants acknowledge with appreciation the Examiner's indication that the drawings filed on August 22, 2003 have been accepted by the USPTO; that certified copies of the priority documents have been received by the USPTO; and that the references included in the Information Disclosure Statement filed August 22, 2003 have been acknowledged as considered.

Example Embodiments

Before turning to the outstanding are rejections, various portions of the specification are provided below, which are believed to provide a better understanding of various features recited in the claims.

[0014] An important concept of an embodiment of the invention is to **store the patient record in data formats firmly prescribed by the manufacturer**, on the one hand, and to **display the data in variable presentation formats**, on the other, **by using mutually isolated, distributed data processing systems and methods**. This allows optimum fulfillment of the different demands on standardized data management in the patient record, on the one hand, and on the greatest possible degree of user friendliness when the data are being handled by a user who is unpracticed in data syntax, on the other.

[0015] In one advantageous variant of an embodiment of the invention, for the report presentation of the data, a **syntax for the report masks is chosen with which the inexperienced user is familiar from the outset**. Suitable report presentations for this are based on programs in widespread use, such as Microsoft Word using the script language Visual Basic for Applications (VBA). These are familiar to a large number of users and provide even laymen with easily manageable ways of producing report formats incorporating electronically stored data.

[0016] Another important concept of an embodiment of the invention involves choosing, on the basis of an **electronic patient record in a standard data format, a report syntax which provides the average user not only with a simple way of editing the masks but also with the opportunity not just to display and to present data belonging to patient records but also to input them and to alter them.** For this, the application on which the report syntax is based needs to have a **bidirectional interface** which it can use both to **receive data** from the electronic patient record and to write them or **write them back** to it. This makes it easier for the user to edit the data, since he can recover the data to be **altered in the report context** with which he is familiar and can associate them more easily and can use this report context as an input form at the same time.

Accordingly, Applicants submit that example embodiments provide the following: (1) separate electronic processing devices for storing (first) and displaying (second); (2) storage of data objects (at the first electronic processing device) in a format which cannot be altered; (3) display of data objects (at the second electronic processing device) according to report mask **which can be altered by the user at the displaying device**; and (4) **modification of data object at the displaying device via the report mask** (vs. modification in the presentation of the unalterable format).

An important aspect should be kept in mind, when comparing the cited references and the specification and claims of the Applicants' disclosure, is that the Applicants' specification refers to two types of "users" as evidenced by the portions cited below.

[0025] Accordingly, it is assumed that **a user of the first data processing device 1 is trained to use this programming language**, but may not need to have any expert medical knowledge.

[0027] **The second data processing devices 13, 13', 13" are used for presenting data from data objects for users who are medically trained, but may be untrained in the use of less highly developed programming languages** such as those used for programming the data objects for the patient record.

In light of the above cited passages, it is believed to be apparent that example embodiments described above, and the amended independent claims briefly discussed below, are primarily concerned with the perspective of the medically trained user of the second data processing device.

Claims

The emphasized portions of amended claim 1 shown below are believed to highlight the features discussed above with respect to the example embodiments and further distinguish the claims over the cited references.

1. (Currently Amended) A data processing system for processing medically relevant data objects including at least one of image data and metadata, comprising:
 - a first electronic data processing device for viewing and editing the data objects, the first electronic data processing device including,
 - a data store for storing the data objects, and
 - a first interface for outputting data objects, and
 - a second electronic data processing device for presenting and altering data from data objects in medically relevant reports using report masks, the second electronic data processing device including,
 - a mask memory for storing the report masks, and
 - a second interface for receiving the data objects,wherein the first data processing device uses firmly prescribed data formats, to store, view and edit the data objects,
 - the second data processing device uses report masks, generateable and alterable locally by a user of the second data processing device to present and alter data objects in a report context, and**
 - the interfaces of the first and second data processing devices are connectable to one another for transfer of data objects from the first data processing device to the second data processing device.

In particular, the emphasized portion of amended claim 1 indicates a user of the second processing device is able to **locally** generate and alter data objects in a report mask. Applicants note independent claims 8 and 23 are similarly amended.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejects 1-29 under 35 U.S.C. §103(a) as allegedly being unpatentable over Bocionek (U.S. Publication No. 2002/0087359, herein “Bocionek”) in view of Kesselman (U.S. Publication No. 2003/0233366, herein “Kesselman”) and further in view of Lassen (U.S. Patent No. 6,560, herein “Lassen”). Applicants traverse this rejection.

Bocionek:

Bocionek is directed to a medical system architecture including operating consoles capable of processing images and viewing workstations. In particular, Bocionek is directed towards distributing information to be processed to the various operating consoles so that one console does not become overloaded while another operating console is available. The Examiner acknowledges that Bocionek fails to disclose, teach or suggest specific features of “the second electronic data process device presenting and altering data from data objects in reports using report masks” on page 4, lines 1-5 of the Office Action mailed September 5, 2007. As such, the Examiner relies on Kesselman and Lassen to cure the deficiencies of Bocionek.

Kesselman:

Kesselman focuses on creating, formatting and distributing reports as evidenced by paragraph [0033], which states “... the report engine 53 which creates presentation reports 54 formatted in a predetermined manner and distributed to one or more destinations”. The formatted reports are distributed to one or more **recipients** e.g. email recipients 20, file recipients 22 and printer recipients 24 (see [0025] or claim 19, for example). As such, Applicants submit that, if anything, the “recipients” described in Kesselman would correspond to a medically trained **user** of the second electronic processing device(s) of claim 1.

Because of the nature of the “recipients” (e.g. by email and print), there is no interaction between the recipients and the systems which sends the reports. This fact prevails through the entire description of Kesselman. **Thus, the “recipient” neither modifies the format of the report nor the content.** In other words, the distribution of the reports is a one-way-street to the “recipient”. Further, Applicants note that modification of the content of the report is explicitly excluded in general in paragraph [0027] of Kesselman, which states “[t]he input mechanism for

the data is not material to the invention as **the invention is concerned with the data after creation, modification or deletion and not inherently concerned with the source of the data.**”

Still further, Applicants acknowledge that Kesselman does seem allow specifying **the format** of the report at the system which sends the report. See the following, for example:

[0006] These reports need to be distributed in **multiple formats** to allow the recipient person or system to read the results.

[0011] The reports can be **formatted based on information in the metadata** or the destination thereof.

[0029] A **formatted presentation report 54** is a formatted extract of the data which may include data from the monitored application database 8, fixed text items, calculated fields, summary items, form layout elements, and/or other graphical or textual representations to give a **formatted output**. Reports 54 are documents which may exist independently from the medium in which they are distributed and may be output in many different file formats including but not limited to: ASCII, Microsoft Word for Windows®, Microsoft Excel®, Adobe® PDF, printed documents, documents opened in a window on the user's system and other defined formats known now or in the future.

[0055] ... An aspect of the present invention is **customization of the formatted presentation reports**. A benefit of this aspect is to provide the ability to reuse report templates for multiple Event Procedures and **generate the desired formatting** and data without redesigning the template. The Run Report sub-process then retrieves from the system database a collection of **Special Metadata 182**, which identifies the **criteria of records** that the report will contain, the **grouping of data** on the report, the **sorting of data** on the report, the destination or destinations for the report and any optional parameters required by the report engine in order to adequately create and distribute the print job. ... (cited by examiner)

The Examiner appears to assert on page 17 of the Office Action mailed September 5, 2007, that the “customized formatted presentation reports” correspond to the “report masks” recited in the independent claims. Applicants respectfully submit this assertion is improper, and, at most, the customized formatted presentation report could only correspond to the report itself.

Applicants acknowledge that the presentation of the report in Kesselman may be modified via the “Special Metadata 182”, and perhaps the Examiner is partly relying on the “Special Metadata”, which is mentioned in the portions of Kesselman reproduced below, as the report masks recited in the independent claims.

[0055] ... The exact details of Special Metadata used will vary amongst different implementations of the invention depending on the customization that the implementation provides for the reports and distribution.

[0074] The **user** is able to **create new metadata and modify or delete existing metadata**.

In these cited portions of Kesselman, however, the “**user**” is the one handling the system (not the “recipient”). Accordingly, modifying the “Special Metadata” appears to only be implemented by a system administrator of the system or electronic device generating the reports and thus, not by “recipient”. If anything, the system administrator could only be considered a user of “the first electronic processing device” recited in the amended independent claims shown in the preceding section of this amendment.

Therefore, Applicants submit that Kesselman, like Bocionek discussed above, at least fails to disclose, teach or suggest “**the second data processing device uses report masks, generateable and alterable locally by a user of the second data processing device to present and alter data objects in a report context**,” as recited in claim 1 at least because the “recipient” cannot locally generate and alter data objects in the report context. Further, Kesselman fails to consider the advantages provided by the above-emphasized feature of claim 1, which is mentioned in paragraph [0011] of the Applicants’ specification.

Lassesen:

Lassesen merely discloses modification of data at a displaying device. In particular, column 15, lines 34-35 states “The data 604 may also be displayed in conjunction with a mechanism that allows the user to edit the data 604.” Regarding the display format, column 11, lines 52 and 53 states “[t]he data 604 displayed in the Web browser 201 on the client can be in any format.”

However, Lassesen, like Bocionek and Kesselman, fails to disclose, teach or suggest **report masks generateable and alterable locally by the user** of a second electronic device, as well as a user of the second electronic device being able to present and alter data objects **in a report context**.

In light of the above, Applicants respectfully submit that even if Bocionek, Kesselman, and Lassesen can be combined (which Applicants do not admit), the proposed combination of these references still fails to disclose teach or suggest a **“the second data processing device uses report masks, generateable and alterable locally by a user of the second data processing device to present and alter data objects in a report context,”** as recited in independent claim 1 or the somewhat similar features of independent claims 8 and 23.

Therefore, Applicants respectfully request the rejection of independent claim 1, 8 and 23, as well as claims 2-7, 9-22 and 24-29 depending therefrom, be withdrawn.

CONCLUSION

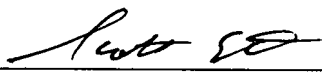
Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-29 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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